

DEBORAH T. PORITZ  
ATTORNEY GENERAL OF NEW JERSEY

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WITH THE  
N.J. BOARD OF DENTISTRY  
ON 9-18-95 cm

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION :  
OR REVOCATION OF THE LICENSE OF :

Administrative Action

JOSEPH J. PORTALE, D.M.D. :

CONSENT ORDER

TO PRACTICE DENTISTRY IN THE :  
STATE OF NEW JERSEY :

This matter was opened to the State Board of Dentistry (Board) upon receipt of a Report of Investigation conducted by the Enforcement Bureau, Division of Consumer Affairs, which alleged that Joseph J. Portale, D.M.D., submitted claims to an insurance company on behalf of a patient for benefits for services that had not yet been completed. A prior Consent Order between Dr. Portale and the Board was entered on June 21, 1991, and the parties being desirous of resolving this matter without recourse to formal proceedings and for good cause shown;

IT IS ON THIS 13<sup>th</sup> DAY OF Sept ~~AUGUST~~, 1995;

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby assessed a civil penalty in the amount of Seven Thousand Five Hundred Dollars (\$7,500). Such penalty is warranted in light of N.J.A.C. 13:30-8.10 (b) 1. The penalty shall be payable by certified check or money order to the State of New Jersey, State Board of Dentistry in three monthly payments. The first

payment of Two Thousand Five Hundred Dollars (\$2,500) shall be submitted to the State Board of Dentistry, 124 Halsey Street, Newark, New Jersey on or before September 15, 1995. The remaining payments shall be made no later than the fifteenth (15th) day of each successive month. In the event that a monthly payment is not received within thirty (30) days of its due date, the entire balance of the civil penalty shall become due and owing.

2. Respondent shall cease and desist from any and all misrepresentation or deception in the submission of insurance claims on behalf of patients in any manner whatsoever.

3. Respondent is hereby reprimanded for submitting claims to an insurance company for benefits for services not yet rendered or completed.

4. Respondent shall make restitution to Aetna Life Insurance Co. by submitting a certified check or money order made payable to Aetna Life Insurance Co. in the amount of \$852.30 to the State Board of Dentistry at 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102, no later than the first day of the month following the entry date of this Order.

STATE BOARD OF DENTISTRY

By:

Stephen Castle, D.D.S., President

*S E. Forman DDS*

I have read and understand the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

Joseph J. Portale, D.M.D.

\*\*\*END\*\*\*

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